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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 SABAS ORTIZ MOJARRO,

12 Plaintiff,

13 v.

14 WILLIAM BARR, et al.,

15 Defendants.  
16

Case No. 1:20-cv-00126-DAD-SAB

ORDER REQUIRING PLAINTIFF TO FILE  
PROOF OF SERVICE OR NOTICE OF  
STATUS OF SERVICE

FIVE DAY DEADLINE

17 Plaintiff Sabas Ortiz Mojarro filed this action on January 22, 2020. The summonses and  
18 mandatory scheduling order issued on January 27, 2020. The mandatory scheduling order stated  
19 that “plaintiff that shall diligently pursue service of the summons and complaint and dismiss  
20 those defendants against whom plaintiff will not pursue claims. The plaintiff shall promptly file  
21 proofs of service of the summons and complaint so the Court has a record of service.” (ECF No.  
22 9 at 1.) Counsel was referred to Fed. R. Civ. P. 4, regarding the requirement of timely service of  
23 the summons and complaint and advised that failure to serve in compliance with Rule 4 could  
24 result in the imposition of sanctions including dismissal of the unserved defendants. (Id. at 1-2.)

25 The mandatory scheduling conference in this matter is set for April 28, 2020, and  
26 Plaintiff has not returned proofs of service nor has a request to continue the scheduling  
27 conference been filed. At this time, it is not clear whether the scheduling conference should be  
28 held on April 28, 2020 or be continued.

1           Accordingly, IT IS HEREBY ORDERED that, within **five (5) days** of the date of entry of  
2 this order, Plaintiff shall either file proofs of service in this matter or file a notice of the status of  
3 service in this matter.

4  
5 IT IS SO ORDERED.

6 Dated: **April 7, 2020**

  
UNITED STATES MAGISTRATE JUDGE